



Centrum Stosunków Międzynarodowych  
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*Craig Goodes*

## **Smart Borders and Security**

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**Craig Goodes**

## **Smart Borders and Security**

### **Introduction**

I will discuss migration and border security concerns, linking these issues to Canada's national and international security agenda. These issues are often framed in context of responses to the terrorist attacks of September 11, 2001. This is understandable, yet the full picture of government of Canada activity with respect to border security requires us to examine developments prior to 9/11 as well.

I will want to look at Canada's bilateral relationship with the United States. As someone who was raised in a border city and has spent over 30 years working with the immigration program my view may be somewhat biased.

But I will suggest that arguably the most important public policy issue of the past four years for Canada has been maintaining an open border with our neighbour to the south.

Finally, I will want to examine the machinery of government response in Canada – the creation of my employer, the Canada border services agency within a portfolio of law enforcement and security entities which together comprise the department of public safety and emergency preparedness.

### **Multiple borders strategy**

I will begin with a look at what we in Canada call our multiple borders strategy – others may call it pushing the borders out. In the late 1980's Canada pioneered a concept of posting officers in key locations abroad in an attempt to reduce the number of people embarking for Canada with fraudulent documentation

These officers were commonly referred to as immigration control officers to reflect this specific function. The concept has since been adapted by other countries to meet their particular requirements.

In Canada we have changed the name to migration integrity officers, or MIO's, to better reflect a broader range of liaison and reporting functions. This was the beginning of what we now call the multiple borders strategy.

Picture a series of concentric circles, with Canada as the inner circle, and a visa post or initial point of embarkation for Canada as the outer ring, with transit points in between. Each of those rings represents an opportunity to confirm the identity and admissibility of individuals destined to Canada.

Migration integrity officers do not have the authority to deny boarding. But, working with transportation company and host country officials, through training and monitoring, has led to interception rates generally in the 70% range in recent years.

In other words, 7 out of 10 persons destined for Canada with false or improperly obtained documents are detected en route. At present, we have 45 migration integrity officers located in 39 missions abroad

### **Canada–U.S. border**

As our series of concentric circles becomes progressively smaller, we arrive at Canada's border with the United States. As I mentioned earlier, our focus on border security did not begin with the terrorist attacks of September 11. In 1995, Canada and the United States signed a shared border accord which acknowledged the need to maintain the integrity of border operations by identifying irregular movements of people and goods while facilitating legitimate cross border traffic in the name of mutual prosperity

Officials were instructed to examine the benefits of joint approaches to a broad range of customs and immigration activities. Important programs have been created from this initiative, one example of which is called nexus, which seeks to facilitate cross-border movement through pre-registration of low-risk travellers.

As we are now seeing, in the years to come this kind of initiative is going to be increasingly important as the United States continues to establish stronger border controls

In my view, the critical point in the North American border security discussion was not 9/11, but rather the case of Ahmed Ressam – the so-called millenium bomber. For those of you not familiar with the name, Ressam was an Algerian national who had applied for refugee status in Canada. He did not properly pursue the refugee claim and it was eventually declared abandoned by the refugee tribunal.

Although Ressam was then liable for removal from Canada, this did not happen and we now know that he was a member of a small cell of foreign nationals in Montreal, which plotted terrorist attacks.

In December 1999, he attempted entry to the United States for the purpose of conducting a terrorist attack at Los Angeles international airport, but thanks to the instincts of a sharp-eyed U.S. Customs official, he was apprehended.

In some respects, we in Canada have been living in the shadow of Ressam ever since. Canadian and American commentators alike have criticized our so-called “porous border”, our “lax border controls” and our “generous refugee system”—the latter despite the fact that refugee acceptance rates in the u.s. and Canada are very similar—both in the low 40% range.

A few years ago, in testimony before a parliamentary committee, the then-director of the Canadian security and intelligence service noted that with perhaps the singular exception of the united states, there are more international terror groups active here (ie, in Canada) than in any other country.”

That quote has been repeated endlessly by those who complain that Canadian policy represents avulnerability for our neighbour. Interestingly, the qualifying statement “with perhaps the singular expection of the United States” is inevitably omitted.

As a result, a number of mythologies have built up around the issue of border security in North America, among them that the 9/11 attackers entered the United States from Canada, an early rumour which has since been conclusively disproven.

Nonetheless, the myth is sustained, sometimes by Canadian commentators, occasionally by prominent American public figures.

## **Post 9/11**

What 9/11 did was to give unprecedented political momentum to shared border discussions. The immediate consequences of the attacks—closure of American airspace, gridlock at the land border—are events we do not want to see reoccur.

With \$1.7 billion per day in cross-border trade at stake, the consequences of a closed border are enormous for both Canada and the United States.

In December, 2001 a smart borders declaration was signed, a 30-point (since expanded to 32-point) action plan designed to ensure a safe and secure border which remains open to the legitimate flow of people and goods.

This accord did not spring suddenly out of the trauma of 9/11—rather, it represented the marriage of political will and years of homework by officials on both sides of the border.

Key provisions include registered traveller programs such as nexus, advance notification requirements and joint targetting for risk management of incoming cargo, investments in border infrastructure, integrated border enforcement teams to strengthen law enforcement capacity between ports of entry, and a safe third country agreement for refugee claimants.

The smart borders declaration is not just a document. It is a process or, more accurately, a series of processes. Regular meetings between Canada's deputy prime minister and the US homeland security secretary are not only a symbol of cross border cooperation but provide an impetus for sustained action on the part of their officials.

The shared border accord approach has evolved into a tripartite process involving Mexico so that our approach is now truly North American.

Canada's national security policy calls this the next generation smart borders agenda.

When announced in March 2005, the three leaders called it the security and prosperity partnership in North America. This partnership agreement highlights three key areas for cooperation: securing North America from external threats; prevent and respond to threats within North America; and further streamline the secure movement of low-risk traffic across our shared border

### **Canada Border Services Agency (CBSA)**

In December 2003, as part of a major reorganization of the federal government, our prime minister announced the creation of the Canada Border Services Agency, within the public safety and emergency preparedness portfolio.

This large department, whose minister is also Canada's deputy prime minister, includes the royal Canadian mounted police, the Canadian security and intelligence service, the national parole board, the correctional services, and the firearms control centre

The border services agency incorporates all port of entry and inland functions related to customs, immigration port of entry, intelligence and enforcement activities, and the inspections function of Canada's Food Inspection Agency.

The agency's mandate is to facilitate trade and travel, while preventing high-risk travellers and cargo from entering Canada

The creation of the border services agency in Canada has been likened to the creation of the homeland security department in the United States.

There are, however, important distinctions. CBSA does not, for example, administer Canada's immigration and citizenship programs, which remain under the authority of a separate minister.

CBSA's role is to provide enforcement and intelligence support to the department of citizenship and immigration. In the spring of 2004, Canada issued its first national security policy statement. Its focus was on three key areas: protecting Canada and Canadians at home and abroad; ensuring Canada is not a base for threats to our allies; and contributing to national security

The policy statement identified six key strategic areas: intelligence; emergency planning and management; public health; transport security; border security; and international security

Key provisions for border security included: developing facial recognition biometrics on Canadian passports; streamline the process for the determination of refugee status; further develop the next generation smart borders agenda; apply smart borders principles internationally (through forums such as the G8 and the World Customs Organization).

Within this context, a priority for the Canada Border Services Agency will be to enhance our targeting capacity for both people and goods destined to Canada through the container security initiative and through further developments in the collection and analysis of advanced passenger information.

These various initiatives and statements by the government of Canada create a framework for continuing to look at border security issues in a comprehensive, thoughtful way rather than simply reacting to events.

## **Conclusion:**

In conclusion, I hope that I have been able to provide some context for reflections on border security issues and how they can be managed.

We need to understand that the border is more than a checkpoint or a geographic line on a map. It is a concept, and in our world has to be thought of as a continuum across which governments engage travellers and commerce to ensure the prosperity of their citizens, but also seek to detect and deter the movement of people and cargos which may compromise their security.

## **Center for International Relations**

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The president of the Center for International Relations is Mr Eugeniusz Smolar.

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